

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,
12 v.
13 XIAMIN HUANG,
14 Defendant.

CASE NO. CR18-0124-JCC
ORDER

15 This matter comes before the Court on the United States' motion for preliminary order of
16 forfeiture (Dkt. No. 134). Having thoroughly considered the motion and the relevant record, the
17 Court hereby GRANTS the motion for the reasons explained herein.

18 Following Defendant's conviction for conspiracy to manufacture and distribute marijuana
19 (Dkt. No. 149), the United States seeks to forfeit her interest in the following property to the
20 United States:

- 21 • A sum of money in the amount of \$139,850, representing the proceeds
22 Defendant personally obtained from her commission of conspiracy to
23 manufacture and distribute marijuana, in violation of 21 U.S.C. §§ 841(a)(1),
24 841(b)(1)(B), and 846.

25 The Court, having reviewed the United States' motion, as well as the other papers and
26 pleadings filed in this matter, hereby FINDS entry of an order of forfeiture is appropriate

1 because:

- 2 • The proceeds of conspiracy to manufacture and distribute marijuana, 21 U.S.C. §§
3 841(a)(1), 841(b)(1)(B), and 846, are forfeitable pursuant to 21 U.S.C. § 853;
- 4 • In her plea agreement, Defendant agreed to forfeit the above-identified sum of
5 money pursuant to 21 U.S.C. § 853, as it reflects the proceeds she personally
6 obtained from her commission of conspiracy to manufacture and distribute
7 marijuana (Dkt. No. 123 at 4–5); and
- 8 • Federal Rule of Criminal Procedure 32.2(c)(1) provides “no ancillary proceeding
9 is required to the extent that the forfeiture consists of a money judgment.”

10 For the foregoing reasons, the United States’ motion for forfeiture (Dkt. No. 134) is
11 GRANTED. The Court further ORDERS that:

- 12 1. Pursuant to 21 U.S.C. § 853 and her plea agreement (Dkt. No. 123), Defendant’s
13 interest in the above-identified sum of money is fully and finally forfeited, in its
14 entirety, to the United States;
- 15 2. No right, title, or interest in the identified sum of money exists in any party other than
16 the United States;
- 17 3. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A)–(B), this order will
18 become final as to Defendant at the time she was sentenced, it will be made part of
19 the sentence, and it will be included in the judgment;
- 20 4. Pursuant to Federal Rule of Criminal Procedure 32.2(e), in order to satisfy this
21 forfeited sum of money, in whole or in part, the United States may move to amend
22 this order, at any time, to substitute property having a value not to exceed the amount
23 of this sum of money; and,
- 24 5. The Court will retain jurisdiction in this case for the purpose of enforcing and
25 amending this order, as necessary.

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1 DATED this 25th day of June 2019.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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